

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

.....X
ARY JEWELERS, LLC
:
:
Plaintiff
:
:
vs
:
C.A. No. 04 CV 10281EFH
:
:
IBJTC BUSINESS CREDIT CORP.
:
AND DAVID MOLINARIO,
:
:
Defendants
:
.....X

**PLAINTIFF'S RESPONSES TO
DEFENDANTS' REQUEST FOR ADMISSIONS**

TO: Defendants IBJTC Business Credit Corp. and David Molinaro by and through their attorneys of record, Robert S. Fischler, Ropes & Gray, L.L.P. 45 Rockefeller Plaza, New York, New York, 10111.

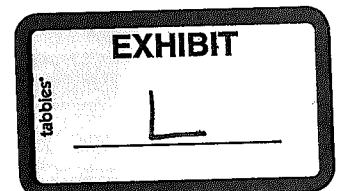
ARY Jewelers, LLC, Plaintiff, in the above referenced matter serves these the attached
Objections and Responses to Defendants' Requests for Admissions pursuant to Federal Rule of Civil
Procedure 36.

Respectfully submitted,

THE CARRIGAN LAW FIRM, L.L.P.

By:

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing instrument was forwarded as indicated below by certified mail, facsimile and/or hand delivery, return receipt requested in accordance with the Federal Rules of Civil Procedure on this the 15th day of March, 2005.

Robert S. Fischler

Ropes & Gray

45 Rockefeller Plaza

New York, NY 10111

telephone: (212) 841-0444


Stephen P. Carrigan/Jill L. Groff

RESPONSES TO REQUESTS FOR ADMISSIONS

1. The document produced by plaintiff bates-stamped ARY 02011-02020 was authored by Gohar Husain and was sent by facsimile to Shabana Razzak.

Response:

ARY admits that the document produced by plaintiff and bates-stamped 02011 - 02015 was authored by Gohar Husain; ARY denies that ARY 02016 - 02020 was authored by Gohar Husain; ARY admits that ARY 02011-02020 was sent by facsimile from Gohar Husain to Shabana Razzak.

2. The document produced by plaintiff bates-stamped ARY 01987 was authored by Gohar Husain and was sent by facsimile to Haji Abdul Razzak.

Response:

Admit.

3. The document produced by plaintiff bates-stamped ARY 00680-00682 was signed by Haji Abdul Razzak.

Response:

Admit.

4. The document produced by plaintiff bates-stamped ARY 00683-00684 was signed by Haji Abdul Razzak.

Response:

Admit.

5. The document produced by plaintiff bates-stamped ARY 00576-00579 was signed by Haji Abdul Razzak.

Response:

Admit.

6. The document produced by plaintiff bates-stamped ARY 00685-00692 was signed by Max Jevinski.

Response:

Admit.

7. The document produced by plaintiff bates-stamped ARY -1989 was authored by Gohar Husain and was sent by facsimile to Haji Abdul Razzak. Paragraph 3 of the document reads as follows:

3) The only people we can get this interim loan in the time frame is Foothill (Wells Fargo). I am going to push to eliminate/reduce the \$5 million in Paragraph (1) and the \$120,000 fee. If this can be accomplished, we should go ahead and in the meantime look for someone else. I am discussing with two parties in Atlanta and Chicago. As there is no penalty for early termination, we should then get rid of Foothill (Wells Fargo) and go with someone else on better terms.

Response:

Admit.